

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOMINGO PENA,)	
Petitioner,)	
)	
v.)	Civ. Action No. 04-CV-40191
)	
DAVID L. WINN, Warden,)	
Respondent.)	
)	

DECLARATION OF STEPHANIE SCANNELL

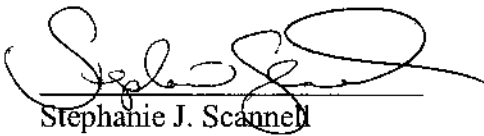
I, Stephanie Scannell, hereby make the following declaration:

1. I am currently employed by the Federal Bureau of Prisons (BOP) of the United States Department of Justice as a Paralegal Trainee at the Consolidated Legal Center located at the Federal Medical Center (FMC) in Devens, Massachusetts. I have been employed at this position since approximately March 9, 2003, and have been with the BOP since October 6, 2002.
2. In order to perform my official duties as Paralegal Trainee, I have access to numerous records regarding prisoners maintained in the ordinary course of business at FMC Devens. This information includes, but is not limited to, documentary records, Judgment and Commitment files, and computerized records maintained on SENTRY, the Bureau of Prisons computerized data base.
3. I have access to the various databases and files concerning administrative remedy claims filed pursuant to the Administrative Remedy Program, which are maintained by the Bureau of Prisons in the ordinary course of business. In particular, I have access to SENTRY, which maintains a record of all of the administrative remedies filed by an inmate, the dates thereof, and the dispositions. These records reflect every administrative remedy claim filed by an inmate in the Bureau of Prisons, while housed in any federal institution of the Bureau of Prisons.

4. On October 18, 2004, I ran a SENTRY search to determine if inmate Domingo Pena, Reg. No. 42808-083, had filed any administrative remedy claims under the Administrative Remedy Program in regard to the allegations in his Petition. A review of his Administrative Remedy Record revealed that he has not utilized the Administrative Remedy Process to file a single administrative remedy submission on the issues presented in this Petition. A true and accurate copy of the Administrative Remedy Generalized Retrieval screen for inmate Domingo Pena, Reg. No. 42808-083, is attached as **Document 1e**.
5. Attached hereto, please find true and correct copies of the following documents:
 - a. Public Information Data for inmate Domingo Pena, Reg. No. 42808-083, dated October 18, 2004;
 - b. Sentence Monitoring Computation Data for inmate Domingo Pena, Reg. No. 42808-083, dated October 18, 2004;
 - c. Sentencing Monitoring Good Time Data for inmate Domingo Pena, Reg. No. 42808-083, dated October 18, 2004;
 - d. Program Statement 5880.28, Sentence Computation Manual CCCA (attached in relevant part);
 - e. Administrative Remedy Generalized Retrieval for inmate Domingo Pena, Reg. No. 42808-083, dated October 18, 2004;

I declare the foregoing is true and correct to the best of my knowledge and belief, and given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 20th day of October, 2004


Stephanie J. Scannell
Paralegal Trainee
FMC Devens